

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Jovan Claybron**
Docket No. **289772**
L.C. No. **97-156799 FC**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The motion to waive fees is GRANTED for this case only.

The delayed application for leave to appeal is DISMISSED for lack of jurisdiction because defendant cannot appeal the denial or rejection of a successive motion for relief from judgment. See MCR 6.502(G)(1). Regardless of the title placed on the pleading in the circuit court, it was a motion for relief from judgment. See MCR 6.501.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR - 5 2009

Date

Sandra Schultz Mengel
Chief Clerk